

REMARKS

Initially, the Applicants would like to thank Examiners Brown and Wood for the courtesy extended in the personal interview conducted on March 18, 2004, during which the foregoing amendments and following remarks were discussed in detail. In the interview, Examiners Brown and Wood indicated that the foregoing amendment to Claim 1 seems to place the claims in condition for allowance.

Claims 1, 3 and 30-47 are now pending in the application.

Claim 1 has been amended to incorporate the features of originally filed Claim 2 and the term "hydroxides" has been replaced with calcium hydroxide, magnesium hydroxide and barium hydroxide. Claims 2 and 4-29 have been cancelled without prejudice to refile. Claims 30-47 have been added to recite specific aspects of the instant invention.

Specific support for the amendments to Claim 1 can be found in the claims as originally filed and in the specification on page 8, line 16. Accordingly, no new matter has been introduced by these amendments.

Specific support for new Claims 30-45 can be found in the specification on page 9, lines 19-25. Support for new Claim 46 can be found in the specification on page 10, lines 14-17. Support for new Claim 47 can be found in the specification on page 9, line 17. Accordingly, no new matter has been introduced by these amendments.

In the only rejection presented in the Office Action, prior Claim 1 and those claims depending therefrom were rejected under 35 U.S.C. § 103(a) as allegedly being obvious in view of the disclosure of U.S. Patent No. 6,093,793 (hereinafter "Hofmann"). To that end, a *prima facie* case of obviousness pursuant to 35 U.S.C. 103(a) requires that the prior art must teach, or at least suggest, the claimed invention as a whole. Moreover, there must be adequate motivation

and a reasonable expectation of success to undertake the modifications proposed in the rejection. For the reasons set forth below, Applicants respectfully suggest that neither standard has been satisfied and the rejection of Claim 1, as amended, and those claims depending therefrom should be withdrawn.

The disclosure of Hoffman is directed to a process for the preparation of polyether polyols using an acid catalyzed polyaddition of epoxides to starter compounds. See, Col 2, lines 63-Col. 3, line 10. More specifically, the invention disclosed in Hoffman produces polyether polyols by the perfluoroalkylsulfonic acid-catalyzed polyaddition of alkylene oxides to compounds having active hydrogen atoms. In his background section, Hoffman discloses various disadvantages associated with the previously known reactions for polyaddition of alkylene oxides to starter compounds, including both acid and base catalyzed polyaddition reactions. To that end, the background section in Hoffman discloses that base catalyzed polyaddition of alkyl oxides to starter compounds can lead to the undesired rearrangement of epoxides to yield allyl or propenyl alcohols. However, the only base catalysts disclosed by Hoffman are alkali hydroxide catalysts, i.e., sodium hydroxide, potassium hydroxide, lithium hydroxide, rubidium hydroxide or cesium hydroxide, which lead to the formation of undesired by-products. See, col. 2, lines 14-28.

The catalyst system of Hoffman does not disclose the primary catalyst of amended Claim 1. Additionally, there is no suggestion in Hoffman to utilize Applicants' primary catalyst as amended. As such, Hoffman fails to teach or suggest all the features of Claim 1 as a whole.

Moreover, Hoffman is directed to the **acid catalyzed** formation of polyether polyols rather than the base catalyzed reaction of Applicants. Also, the background section actually teaches away from the base catalyzed reactions of Applicants, and therefore, one of ordinary skill in the art would not have been motivated by Hoffman to modify the background section's base catalyzed reactions, which form undesired by-products, much less be motivated to arrive at the catalyst system recited in Claim 1.

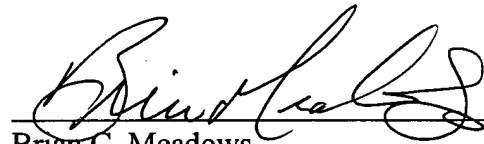
CONCLUSION

In view of the Remarks set out above, it is respectfully asserted that the rejections set forth in the Office Action of February 4, 2004, have been overcome and that the application is in condition for allowance. Therefore, Applicants respectfully seek notification of same.

No fee is believed due; however, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

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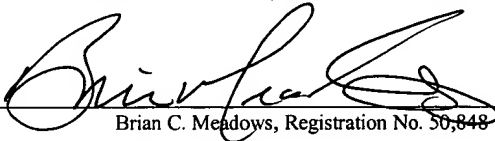


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Date

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